

MAR 18 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott D. McMillan et al. Confirmation No.: 3159

Serial No.: 10/735,842 Examiner: Karen Masih

Filing Date: December 11, 2003 Group Art: 2837

For: ELECTRIC MOTOR WITH SPEED CONTROL

Docket No.: H0005881-9952(1161.1189101)

AMENDMENT

Mail Stop Amendment
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Lynn Thompson
Lynn Thompson

March 18, 2005
Date

This Amendment is being filed in response to the Official Action of the Examiner mailed December 22, 2004, setting a three-month shortened statutory period for response ending March 22, 2005.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Argument begin on page 12 of this paper.

03/25/2005 TDAWKINS 00000001 500413 10735842

Application No. 10/735,842
Amendment dated March 18, 2005
Reply to Office Action dated December 22, 2004

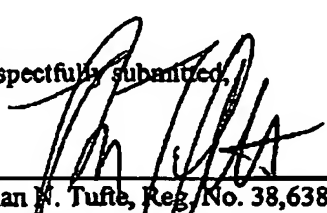
33. (New) A method for controlling the speed of an electric motor, the method comprising:
supplying current to the motor to drive the motor at a first speed, the supply current being driven at a frequency that corresponds to the first speed with current peaks and current valleys;
suspending the supply of current such that at least one current peak and/or current valley is skipped;
while the supply of current is suspended, allowing the current to decay to zero or substantially zero and then obtaining a measure of the back emf generated by the motor; and
using the measure of the back emf as feedback to control the speed of the motor.

As can be seen, claim 33 recites the step of suspending the supply of current such that at least one current peak and/or current valley is skipped. Nothing in Pedrazzini or Plunkett suggests this step. Claim 33 also recites, while the supply of current is suspended, allowing the current to decay to zero or substantially zero and then obtaining a measure of the back emf generated by the motor. Again, Nothing in Pedrazzini or Plunkett suggests this step. For these and other reasons, new claim 33 is also believed to be clearly patentable over the cited prior art.

In view of the foregoing, Applicant believes that all pending claims 1-33 are in condition for allowance. Reexamination and reconsideration are respectfully requested. If the examiner believes it would be beneficial to discuss the application or its examination in any way, please call the undersigned at (612) 359-9348.

Respectfully submitted,

Dated: March 18, 2005


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TO: Commissioner for Patents
Attn: Examiner Karen Masih
P.O. Box 1450
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FROM: Brian N. Tufte

OUR REF: H0005881-9952(1161.1189101)
TELEPHONE: 612.677.9050

Total pages, including cover letter: 19

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Title of Document Transmitted: Amendment in response to OA dated 12-22-04

Applicant: Scott D. McMillan

Serial No.: 10/735,842

Filed: December 11, 2003

Group Art Unit: 2837

Our Ref. No.: H0005881-9952(1161.1189101)

Confirmation No. 3159

Please charge Deposit Account No. 50-0413 in the amount of \$ 500.00 for 2 additional claims which are independent claims. Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: [Signature]
Name: Brian N. Tufte
Reg. No.: 38,638

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Name: Lynn Thompson

Lynn Thompson
Signature

March 18, 2005
Date

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

10735842

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

RATE	FEE
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

RATE	FEE
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	33	Minus	31 = 2
	Independent (37 CFR 1.16(b))	6	Minus	4 = 2
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI- TIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDI- TIONAL FEE
X \$ 50 =	100
X \$ 200 =	400
+ \$ _____ =	
TOTAL ADD'L FEE	500

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))		Minus	=
	Independent (37 CFR 1.16(b))		Minus	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI- TIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDI- TIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))		Minus	=
	Independent (37 CFR 1.16(b))		Minus	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI- TIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDI- TIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20"

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3"

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.